IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN DOE 1 and JANE DOE 1,

in their own Capacity and as parents of CHILD DOE 1, et al.,

Plaintiffs,

v. : Civil No. 5:22-cv-00699-JMG

BOYERTOWN AREA SCHOOL DISTRICT a Pennsylvania Governmental entity, *et al.*, Defendants.

ORDER

AND NOW, this 9th day of May, 2022, upon consideration of Plaintiffs' Complaint (ECF No. 1), Plaintiffs' Motion for a Preliminary Injunction and other relief (ECF No. 3), and Defendants' Response in Opposition (ECF No. 12), Plaintiffs are **HEREBY ORDERED** to **SHOW CAUSE** on or before **May 18, 2022** why their Motion (ECF No. 3), and Complaint (ECF No. 1), should not be dismissed as moot.¹

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge

¹ The Third Circuit Court of Appeals recently considered a consolidated appeal considering mask mandates. The appeal similarly argued for injunctive relief for violations of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. The Third Circuit dismissed the appeal finding that "the absence of a live controversy renders this matter moot." Then the Third Circuit remanded the matters back to the District Court with instructions to dismiss them as moot. *See John Doe 1, et al., v. North Allegheny School Dist., et al.,* Nos. 22-1160 & 22-1299 (3d Cir. March 1, 2022).